



**Little Compton Police Department
60 Simmons Road
Little Compton, RI 02837**

ORDER	EFFECTIVE DATE	NUMBER	ISSUING DATE
GENERAL	10/31/19	330.50	10/31/19
SUBJECT TITLE		SUBJECT AREA	
TOWED AND IMPOUNDED VEHICLES		TRAFFIC	
RIPAC REFERENCE		PREVIOUSLY ISSUED DATES	
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ALL	AS NECESSARY	11	

TOWED AND IMPOUNDED VEHICLES

I. PURPOSE

To provide guidelines for the towing, safeguarding and disposing of vehicles and to provide guidelines for the impounding of vehicles at the Little Compton Police Department.

II. POLICY

It is the policy of the Little Compton Police Department to provide specific procedures and inventory control regarding any vehicles towed by the Little Compton Police Department in order to ensure both consistent police action and tow operator performance.

III. DEFINITIONS

A. For the purpose of this policy the following definitions shall apply:

1. Tow: The act of moving a motor vehicle through the use of a specially equipped truck designed for carrying or pulling other motor vehicles.

2. Seize: To lawfully stop and/or take temporary possession of a motor vehicle or personal property
3. Impound: To seize and retain legal custody of a motor vehicle.
4. Inventory: A non-investigative procedure in which the contents of personal belongings or motor vehicles are recorded.

IV. PROCEDURE

A. Abandoned Motor Vehicles

1. Any abandoned motor vehicle (as defined in R.I.G.L. 31-42-1) found on public property may be towed at the owners' expense.
 - a. The officer will attach a forty-eight (48) hour tag to such vehicles and tow the vehicle after the expiration of said notice.
 - b. Abandoned motor vehicles towed / impounded under the authority of R.I.G.L 31-42-2 shall be removed, preserved and stored by the tow company summoned by the police to remove the vehicle; the expense for which shall be bore by the vehicle owner or lienholders.
 - c. Within fifteen (15) days of the abandoned vehicle being removed under the authority of R.I.G.L. 31-42-2 police shall, by registered mail, return receipt requested, notify the last known registered owner of the motor vehicle and all lienholders of record that the vehicle has been taken into custody, etc... (See R.I.G.L. 31-42-3).
2. The department generally will not tow abandoned vehicles on private property unless another reason exists, such as stolen vehicles or vehicles involved in a crime.
 - a. Property owners may have vehicles removed from their property and may recover costs in accordance with the law. Property owners will provide for the towing of the vehicle.
 - b. Upon request of the property owner the police department will assist in ascertaining the name and address of the owner of any such vehicle.
 - c. When a registration check needs to be completed to ascertain this information from the RILETS system, the Officer in Charge will be notified and the information so noted in the log.
 - d. An incident report shall be completed containing all pertinent information when we receive notice that a vehicle was towed privately, in the event it is later reported stolen.

3. If the owner of any dismantled, junk, or abandoned vehicle that is illegally or physically incapable of being operated is also the owner, lessee or occupant of the premises, then the department will proceed in accordance with the appropriate Town of Little Compton Ordinance providing for the removal of Junked or Abandoned Vehicles.
 - a. Motor vehicles towed / impounded under the authority of the appropriate Little Compton Town Ordinance shall be removed, preserved and stored by the tow company summoned by the police to remove the vehicle; the expense for which shall be bore by the vehicle owner or lienholders.

B. Traffic Hazards or Unattended Vehicles Impeding Traffic

1. Vehicles stopped on a State or Town roadway, in a hazardous location, or left unattended in a location that impedes or obstructs traffic or presents a danger to others on the roadway, will be removed at the owners' expense by the Little Compton Police Department according to the applicable Town Ordinance.
2. Vehicles that present a hazard to traffic or unduly obstruct access to private or public property maybe towed immediately.
3. Private property owners will be given assistance when vehicles are causing a hazard or left unattended and blocking access to a complainant's residence or business. Assistance will be provided by ascertaining who the owner or operator is or calling for a tow truck to remove the vehicle. A report will be completed noting that the police assisted the private property owner.
4. The removal of a vehicle will be documented with an incident report, Tow Slip completed along with notation in the Tow Log. Notification will be made to the registered owner, if they can be determined.

C. Winter Emergency Parking Regulations

1. In accordance with the applicable Little Compton Town Ordinance, when a Winter Parking Ban has been so designated by the Chief of Police or his or her designee.
 - a. The parking ban will be announced via the RI Broadcasters web-site
 - b. **RI Broadcasters Web-site**
 - c. **Facebook**
 - d. Vehicles will be towed that present a hazard to traffic or town snow removal operations as so ordered by the Department of Public Works Director or his or her designee.

2. Vehicles will be tagged that are in violation of the parking ban, if practical an attempt will be made by the Little Compton Police Department to make contact with the vehicle owner prior to towing.

D. Traffic Law Violations and Arrests

1. All Unregistered motor vehicles may be towed from public property.
 - a. Registration plates that are inactive or suspended will be removed from the vehicle and stored at Police Headquarters.
 - b. The plates will be sealed and have a Case and Property label attached to them. After 30 days the plates will be destroyed and notification sent to the Registry of Motor Vehicles.
2. When the operator is arrested or does not have an active license, the vehicle may be turned over to a capable licensed operator at the scene with the permission of the owner or the vehicle maybe towed by the police.
 - a. Reasonable steps should be taken to identify the owner and determine if the operator has permission to use the vehicle if the owner is not present.

E. Tow Request Processing

1. All tow requests shall be made through the Dispatch Center.
2. Assistance for motor vehicle breakdowns or accidents which the operator requests a specific tow company or for a private tow club should be honored when the response time is acceptable and the tow club covers such services.
 - a. The officer in charge will have final judgment if the situation requires the scene to be cleared due to hazards, call backups or time requirements.
3. All tow assignments will be recorded in the Tow log and Dispatch log which will include the following information:
 - a. Date and time.
 - b. Tow company
 - c. Officer involved
 - d. Location
 - e. Reason for tow
 - f. Call, Incident, Accident or Arrest number
 - g. Registration number and State
4. Any vehicle towed will have the proper reporting type action assigned and reports completed as per the action taken.

5. When a tow company, requested by the Little Compton Police Department, arrives on scene and provides a service, (Hooking up the vehicle for a tow, provided mechanical or other services) the vehicle owner is responsible for all costs associated with the services provided.

F. Vehicles Towed to Tow Company Lot or Alternate Location

1. All vehicles towed / impounded under the authority of R.I.G.L 31-42-2 or the applicable Little Compton Town Ordinance shall be removed, preserved and stored by the tow company summoned by the police to remove the vehicle; the expense for which shall be bore by the vehicle owner or lienholders.
2. All other vehicles towed at the request of the Police, that **do not** require further investigation, inspection nor possess potential evidentiary value shall be towed to the tow company's storage lot, or an alternate location as determined by the vehicle owner / lessee and the tow operator. Said vehicles shall be authorized for release to the vehicle owner / lessee at the time of the tow as directed in section H-3 of this policy.
 - a. Owner / lessee requested tows maybe towed to another location with approval of the tow operator. (Example: motorist assists or accidents).
3. Officers will refer to this policy to determine if an inventory should be completed on the vehicle prior to towing.

G. Vehicle Towed to the Police Headquarters

1. Vehicles that require further investigation, inspection or possess potential evidentiary value shall be towed to Police Headquarters. Said tow shall be completed under the observation of a Police Officer whenever the vehicle is believed to possess evidentiary value.
2. The Officer in Charge will be notified of all vehicles being towed to police headquarters.
3. Vehicles that will require extensive processing, or require shelter maybe stored in the sally-port until other means are found.
4. Other vehicles towed to the Police Department will stored within in the sally-port until a temporary enclosure is place in the parking lot.
 - a. Proper care will be taken regarding the collection of evidence and security of the vehicle.
 - b. An Officer will accompany the vehicle being towed in order to maintain chain of custody when applicable.
 - c. All vehicles towed to the station will be inventoried in accordance with this policy.

- d. All vehicles towed to Police Headquarters shall be entered into the property section of the corresponding report and assigned a property number.
- e. The keys for the impounded vehicle shall be entered into the property section of the corresponding report, assigned a property number and secured in a temporary evidence locker.

H. Release of Vehicles

1. Vehicles impounded at the tow company lot.
 - a. All vehicles impounded at tow company lot shall be released Deputy Chief/Lieutenant or his designee
 - b. All vehicles towed / impounded under the authority of R.I.G.L 31-42-2 shall be released only after the elements of the statute have been satisfied and the costs associated with the vehicle's removal and storage have been paid.
2. Vehicles impounded at police headquarters.
 - a. All vehicles impounded at police headquarters shall be released by the Deputy Chief/Lieutenant or his designee.
 - b. No vehicle may be released from police custody until the owner has a paid receipt from the company that towed the vehicle.
 - c. Once a vehicle has been cleared for release and the owner fails to pick up the vehicle at Police Department, the original tow company will be contacted to tow the vehicle from Police Department to their place of business with all prior tow charges, future tow and storage charges being the responsibility of the vehicle owner.
3. All Other Towed Vehicles.
 - a. All other vehicles towed at the request of the police shall be authorized for release to the vehicle owner / lessee at the time of the tow with the understanding that the vehicle must be towed from the scene.
Note: Officers shall only release police towed vehicles to the vehicle owner / lessee. Should a vehicle owner / lessee wish to have someone else take possession of their vehicle, said vehicle owner / lessee can attempt to make such arrangements with the tow company.
 - b. An inventory shall be completed as indicated by this policy.

- c. A tow slip shall be properly completed for all vehicles that are towed at the request of the Police. In addition, said tow slip shall be signed by the attending officer and the tow operator acknowledging the content of the tow slip and the fact that the police have authorized the release of the vehicle to the vehicle owner / lessee.
- d. The original copy of the tow slip shall be filed with the corresponding report and noted in the report.
- e. If there is a reason that the owner / lessee of the vehicle should not be operating the vehicle, or the vehicle should not be operated upon its release; whenever possible, officers shall advise the owner / lessee of the same and warn him/her of the consequences of operating the vehicle. In addition, officers shall take reasonable steps within their authority to prevent such operation.

I. Tow Operator Requirements

1. The tow company will provide a 24-hour telephone number for the police to contact them for service.
2. Tow operators must give an estimated time of arrival when requested by police.
3. The tow will provide a listed address where the vehicles will be kept and stored.
4. Tow operators are required by Rhode Island Law, (R.I.G.L. 31-22-14.1) to remove all glass and debris from the accident sites.
5. All tow operators will sign the tow slip at the scene when taking custody of the vehicle and its contents.

J. Police Vehicle Towing

1. Police vehicles which require towing will have a report completed identifying the circumstances which necessitated the tow.
2. Police vehicles involved in accidents will be towed to Police Headquarters and placed out of the way of serviceable vehicles.
3. Police vehicles with mechanical problems will be towed to a repair shop.
4. Police vehicles that have been towed will have all weapons and all personal equipment removed from the vehicle prior to storage.

K. Tow Slip Requirements

1. Tow slips **will be** required for:
 - a. All criminal cases involving a motor vehicle
 - b. All motor vehicle violations, which require towing.
 - c. Abandoned autos
 - d. Traffic hazards
 - e. Unattended vehicles impeding traffic
 - f. Emergency situations
 - g. Parking violations, which require towing
 - h. Accidents in which the operator is transported from the scene to a medical facility.
2. Tow slips will be completed on scene by the officer assigned to stand by for the tow.
3. The tow slip will be signed by the officer and tow operator.
 - a. Tow slips for impounded vehicles shall be filed in the marked file-folder at the station.
 - b. A copy of the tow slip from vehicles released at the scene will be filed with the corresponding report.
4. Tow slips WILL NOT be required for motorist assists.
 - a. All vehicle, owner/operator & tow information fields shall be completed in the Call and an entry made into the tow log.

L. Motor Vehicle Inventory Process

1. When an officer seizes or impounds a motor vehicle, he/she will complete a motor vehicle tow slip which will include a listed inventory of the vehicles contents.
2. A detailed inventory of the vehicle should be carefully planned and carried out. The particulars of the situation will dictate the search sequence but generally:

- a. The interior is inventoried according to the major areas, starting with the left front (operators) to the right front (passenger) and left rear to the right rear.
- b. The trunk inventory should follow the interior.
- c. The last inventory will be the exterior which will document any damage found or missing equipment to the vehicle.

M. Location of Inventory

1. The inventory of the vehicle may be conducted at any location, whenever reasonable, taking into consideration:
 - a. The safety of officers and public.
 - b. Weather and road conditions
 - c. Time constraints due to other emergencies.
2. It is the officer's discretion as to where the vehicle will be inventoried; however, it will be done as soon as possible in a safe area removed from any hazards.

N. Scope of Inventory

1. The inventory of personal items and valuables will extend to all storage areas and compartments that are an integral part of the vehicle and will include:
 - a. The passenger compartment, including glove box, center console and unlocked containers found therein.
 - b. The trunk of the vehicle and unlocked containers found therein.

O. Locked Storage Compartments

1. A locked container, glove box or trunk will be opened and inventoried if there is a key available or the opening can be obtained without causing damage to the vehicle.
2. A locked container, glove box or trunk which cannot be opened due to a lack of a key or without causing damage, will not be inventoried and will be noted on the vehicle inventory/tow slip form.
3. The above policy does not preclude an officer from using another search requirement, (i.e.: Warrant/Incident to Arrest) if probable cause or evidence of a crime is thought to be secured in a container or the vehicle.

P. Exceptions to the Motor Vehicle Inventory Policy

1. An inventory need not be taken when:
 - a. The owner / lessee or person in lawful custody of the vehicle is present and the vehicle is towed at their request.
 - b. The vehicle is towed by order of the police, but immediately released to the owner / lessee who are present at the scene.
 - c. The vehicle is being removed by a third party with owner/operator permission.
 - d. Emergency conditions exist, (i.e.: natural disasters, acts of civil disobedience, snowstorms and hurricanes).
2. Abandoned or disabled motor vehicles that will be towed and are **locked** need not be inventoried. Documentation as to this status must be recorded on the Inventory section of the Tow Slip.
 - a. Abandoned or disabled motor vehicles that are **unlocked** must be inventoried.
 - b. Documentation will be done on the Tow Slip in the space provided for inventory.

Q. Items of value

1. Whenever items of value are in a vehicle, the officer requesting the tow must encourage the vehicle owner/operator to take possession of these valuables if at all possible.
2. When items cannot be taken out of the vehicle, those items must be listed on the tow slip form and the location where they will be left. (i.e.: vehicle compartment, trunk or locked container).
3. In the event that no valuables are to remain with the vehicle, or the owner/operator removes same. The officer is still required to note on the tow slip that no valuables were left in the vehicle.

R. Search pursuant to State and/or Federal Law

1. Nothing contained in this policy shall preclude an officer from conducting a search of a motor vehicle consistent with State and/or Federal Law.

By order of:

A handwritten signature in black ink, appearing to read "Scott N. Raynes". The signature is fluid and cursive, with the first name "Scott" being more prominent.

Scott N. Raynes
Chief of Police